

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

EDUARDO A TREVINO,

Plaintiff,

VS.

MCCONNELL UNIT,

Defendant.

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CIVIL ACTION NO. C-09-279


**ORDER ADOPTING MEMORANDUM AND RECOMMENDATION
TO GRANT PLAINTIFF'S MOTION TO DISMISS**

On December 11, 2009, United States Magistrate Judge Brian L. Owsley signed a Memorandum and Recommendation recommending that plaintiff's motion to dismiss his action (D.E. 8) be granted and that his action be dismissed without prejudice. A copy of the Memorandum and Recommendation was mailed to plaintiff with a card to be returned indicating his receipt of the mailing. The card has not been returned by plaintiff nor has the mailing been returned by the U.S. Post Office as undeliverable. Therefore, seeing no objection to this recommendation by either party and having now reviewed the recommendation, this Court hereby adopts as its own the Memorandum and Recommendation as the decision of the Court. Accordingly, it is

ORDERED that plaintiff's motion to dismiss his action is granted and plaintiff's action is dismissed without prejudice.

The clerk shall enter this order and provide a copy to all parties.

SIGNED and ORDERED this 17th day of February, 2010.


Janis Graham Jack
United States District Judge